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To: <rlk@nrc.gov>
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Subject: fitness for duty rule change

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USNRC

August 26, 2005 (2:02pm)

Hi Ms. Rebecca Karas,

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

I read of the pending fitness for duty rule change in the Calvert County Recorder newspaper.

Before I submitted any comments, I wanted to make sure I understood the NRC intent. I heard new rules were thousands of pages long. I do not have time to read the whole document if it is that long.

I have several concerns during operating and non operating periods.

During operations, a shift worker working 12 hours periods, can work 3 nights, say Friday, Sat and Sun. Have Monday off, and then work Tuesday day. Work Wednesday night and then have to work Friday, Sat and Sun days. No rules have been violated, only 72 hours were worked in the seven day period. Even though the 72 hour work period applied, the person's body clock is all messed up and they might not be at peak performance. Do the new rules specify switching between nights, days, nights and then back to days all in one week?

There was a key word in the news paper and that was the fitness for duty work hours was "while plants are operating"

I am concerned about the lack of work hour regulation during outage periods. During outages I have seen people work thirteen twelve hour days or nights straight. It is my understanding that the NRC's view point is that the release to the public is low due no iodine production because the unit is shut down.

While this might be true for a single unit site, or a dual unit shutdown on a dual site, it doesn't preclude workers from begin pulled off the shutdown unit and working on the operating unit on a dual unit site in times of need for the utility, causing an error and then having a release. While the NRC position might be that Fitness for Duty applies and the workers should have supervisory oversight during work, in practice I have not witnessed consistent use.

One of the concerns I have is the total number of hours spent working during the outage. Worker fatigue over a month of working 80 hour work weeks under high stress is a valid issue. It might not be the immediate release of radioactivity that I am concerned about, but the future failure of a component that would cause release due to poor workmanship due to being tired or overworked. While in-service testing should reveal broken or degraded components in application, degraded components are not always readily revealed during in service testing.

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SECY-02

With more companies worried about the bottom line, more risks are being taken by utilities to drive outages to shorter and shorter periods. Less equipment is being worked during outages and people are being driven harder and longer. With these conditions occurring, it will be just a matter of time before something bad happens and both the NRC and the nuclear industry have a black eye.

If the fitness for duty rule change is also changing the urine testing program, it should be changed to reflect that all the population gets tested within a certain time period, say two years. Right now I do believe the rule states that it is only a 50% average of the work force per year. Some people never get tested and others get tested two or three times a year. The rule should be changed such that every worker will be tested within a two or three year period. The company program might say random, but there is no random when certain workers are selected on a regular basis and other workers never get tested.

I look forward to hearing from you. E.

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Subject: Fwd: fitness for duty rule change
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